

**UNITED STATES DISTRICT COURT**

**for**

**EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION**

**U.S.A. vs. Daniel Joseph Watts**

**Docket No. 4:04-CR-48-4H**

**Petition for Action on Supervised Release**

COMES NOW Mindy L. Threlkeld, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Daniel Joseph Watts, who, upon an earlier plea of guilty to 21 U.S.C. §846, Conspiracy to Possess With the Intent to Distribute More Than Twenty (20) Grams of Methamphetamine, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on January 4, 2006, to the custody of the Bureau of Prisons for a term of 63 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.

Daniel Joseph Watts was released from custody on August 14, 2009, at which time the term of supervised release commenced.

On December 13, 2010, a violation report was submitted to the court reporting that the defendant had been charged with Misdemeanor Assault With a Deadly Weapon on November 29, 2010, in Cumberland County, North Carolina. It was recommended that we await the outcome in state court before recommending if a sanction was appropriate. This charge was voluntarily dismissed on January 24, 2011.

On May 8, 2012, the conditions of release were modified to include mental health treatment, after the defendant had some verbal altercations with his fiancé at their residence. No police reports were filed, but it was felt that anger management classes would be beneficial for the defendant to help deal with any underlying anger problems.

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On May 2, 2013, the conditions of release were modified to include 5 days incarceration when the defendant tested positive for morphine/oxymorphone on April 9, 2013, and when the defendant committed the offenses of Driving While License Revoked and Unsafe Movement on April 4, 2013, in Cumberland County, North Carolina.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On May 13, 2013, the defendant committed the offenses of Driving While License Revoked, Unsafe Movement, Cancelled/Revoked/Suspended Certificate/Tag, and Failure to Surrender Title/Registration Card/Tag in Cumberland County, North Carolina. As a sanction for this conduct, it is recommended that the defendant participate in the cognitive behavioral program.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld  
Mindy L. Threlkeld  
U.S. Probation Officer  
310 Dick Street  
Fayetteville, NC 28301-5730  
Phone: (910) 483-8613  
Executed On: June 17, 2013

#### **ORDER OF COURT**

Considered and ordered this 17th day of June, 2013, and ordered filed and made a part of the records in the above case.

Malcolm J. Howard  
Malcolm J. Howard  
Senior U.S. District Judge